

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Seattle
FILE NUMBER: 200301314

REGULATORY PROJECT MANAGER: Ron Wilcox **Date:** 8/13/04

PROJECT REVIEW/DETERMINATION COMPLETED: In the office y (Y/N) **Date:** _____
 At the project site y (Y/N) **Date:** 2/24/04

PROJECT LOCATION INFORMATION:

State: WA
County: Pierce
Center coordinates of site by latitude & longitudinal coordinates: Lat. 047-11'-07"N Long. 122-17'-34"W
Approximate size of site/property (including uplands & in acres): 1607 acres
Name of waterway or watershed: Puyallup

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands		X							
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?					X
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD: Approximately 40 acres of wetlands occur on the 1607-acre area. The wetland impact site is located adjacent to a 2000-foot stretch of heavily traveled public roadway. 1.15-acres of wetland will be impacted.

Nineteen wetlands are located within 150 feet of the roadway. The wetlands are have been identified as palustrine emergent (PEM), scrub-shrub (PSS), and forested (PFO). The vegetation observed includes hardhack, reed canary grass, soft rush, horsetail, willow, blackberry, black cottonwood, Douglas fir, Oregon ash, and red osier dogwood.

Conclusion: We determined the 19 wetlands to be isolated and have no surface water connectivity to a water of the US. Based on observations, additional site-specific information, The Wetland Analysis Report, Canyon Road East, 116th Street East to 160th Street East, dated November 2003, prepared by Michelle Banonis, Environmental Biologist, Pierce County Public Works and Utilities, and Brookdale Pit Drainage Report, dated August 2001, prepared by Pierce County Water Programs, we have determined the wetlands are not within Corps regulatory jurisdiction and a 404 permit is not required.